

**Town of Foxborough
Conservation Commission Minutes
April 22, 2013**

Members Present: Robert Boette (Chair), Allan Curtis (Vice Chair), James Marsh, and Judith Johnson
Members Absent: Douglas Davis, Eric Nelson (Clerk) and Valerie Marshall
Staff Present: Jane Sears Pierce, Conservation Manager and Lee Ann Tavares, Secretary
Others Present: See attached sign-in sheet

Meeting Opened

Bob Boette opened the meeting, held in the Andrew A. Gala Jr. Meeting Room, at 7:00 p.m.

East Belcher Road Compost Facility

Planning Board member Bill Grieder attended the meeting to discuss the Planning Board's upcoming hearing for the facility's Phase II. He wanted the Planning Board to be on the same page as the Commission, adding that the project must be Phase I compliant before they can move forward with Phase II. The Town will be the applicant for Phase II (Andy Felix was the applicant for Phase I) and their operator would be responsible to the Town.

Mr. Grieder asked for clarification of what the Restoration Order's conditions #35 and #36 meant. The Commission told him that if the project is in compliance with Phase I, they would be eligible for a Partial Certificate of Compliance (condition 35). Condition #36 indicates that a Certificate of Compliance would not be issued until plants had been growing successfully for two years.

Mr. Grieder asked for a memo from the Commission to the Planning Board explaining (1) the requirements for issuing a Partial and Final Certificate of Compliance and (2) that a wetland filing will be required for Phase II. Jane reported that she visited the site on Wednesday and the restoration work is going well.

120 South Street, Foxborough High School

Information Reviewed: Notice of Intent received 4/8/13

Bob opened the hearing by reading the legal notice, as posted in the Sun Chronicle and the Foxboro Reporter. The Applicant's representative, Jim DeVellis, was present to review the proposed project. Debra Spinelli, Superintendent of Schools, and Bill Yukna, School Business Administrator, also attended the hearing.

Mr. DeVellis disclosed that he was a Selectman in Foxborough and has signed a Conflict of Interest form with the Town Clerk. He recognized that the Commission is appointed by the Selectmen so if any of the Commissioners were uncomfortable discussing the project, they should just let him know. He then added that he had not made any calls to any of the Commissioners regarding this project.

Mr. DeVellis described the proposed project, including the construction of a parking area and athletic fields behind the High School. An existing out building at the site will be removed, along with trees, fencing and a gravel area. A handicapped accessible sidewalk is also proposed. The stream on site does not show up on the USGS maps, so should be considered intermittent.

He explained that they have met the storm water guidelines and are not proposing any increase in impervious area. Temporary swales and basins will be installed to hold runoff during construction and the basins will be completed at the end of the project; basins will not be fenced. The current

stormwater swale along the property line will be widened, rip rap check dams will be installed and then planted. Detention basins and an underground stormwater system will contain and infiltrate all runoff, resulting in 20% less stormwater runoff from the site after construction. Most of the proposed work will be outside of the 100 foot buffer zone.

Judi asked how invasive species growth, if any, would be addressed in the future. Mr. DeVellis stated that they will be using silt tubes in place of hay bales to prevent the introduction of invasive plants and they will be using soils from the old fields in front of the school, so won't be bringing in any new soils. Work is planned for June, July and August.

Signage along the fields is proposed to educate visitors about the use of Low Impact Development (LID) techniques at the site. The area will be hydroseeded, but no fertilizer use is proposed in the buffer zone. Judi asked if they would install bluebird houses, since bluebirds love open fields. Mr. DeVellis and Ms. Spinelli agreed it would be something they could do.

Motion was made by Judi Johnson to close the hearing; seconded by James Marsh. **Vote: 4:0:0**

General Discussions

Lincoln Hill Deed

The Commission was waiting to receive a certified copy of the Town Meeting vote, as requested, from the Town Clerk. The certified copy would then be attached to the Lincoln Hill property's deed, as recommended by the EOEEA. Jane reported Town Clerk Bob Cutler told her that the Commission will not be given a certified copy of the vote, since Kevin Paicos had told him that this "is not how it is done."

Judi indicated that she was very frustrated to hear this. She said that Lorraine Brue didn't know about the vote for Lincoln Hill because it was never recorded with the deed. Val had informed Mr. Cutler that Irene DelBono (the State EOEEA's Conservation Restriction Reviewer) had told her that other cities and towns have had similar issues (i.e. votes not being recorded), instructing Val to have a certified copy of the vote recorded against the property's deed.

Heather Harding from the Recreation Committee, also in attendance, stated that the St. Augustine property's vote was similar to the Lincoln Hill vote, so they wanted to know how the Commission was going to ensure that Lincoln Hill was protected. They want to avoid possible problems/confusion regarding the intent of the property's TM vote in the future, too.

The Commission decided to wait until after the Town Meeting and elections to ask Town Counsel to review a list of issues that they would like to have cleaned up (for the Recreation Committee's property, too) to ensure that the property is protected in perpetuity.

Rental Properties

Jane reported that she received an email from Kevin Paicos which included the RFP's for the 2 rental properties. The rent will be \$1500 per month. Jane will contact the local broker that assisted her before to list them and ads will be put in the newspapers.

Judi stated that she hated to see the Fairbanks house torn down. She suggested starting small, renovating the first floor only and perhaps getting caretakers. The property will need a septic system, heating system, cabinets and appliances.

Garrett Spillane Property Letter

Jane presented Judi's draft letter to the Board of Selectmen regarding the sale of the Garrett Spillane property, as discussed during the last meeting, for the Commission's review and approval.

Motion was made by Allan Curtis to send the letter as drafted to the Board of Selectmen; seconded by Jim Marsh. **Vote: 4-0-0**

Ridley Property

Judi and Jane visited the site's vernal pool, but did not find any invertebrates, including mosquito larvae, in the pool. They found small granules of what Jane now believes to be "VectoBac G" in the water and are concerned that the granules might be killing the invertebrate food source for the vernal pool's salamander larvae. Jane will contact Mosquito Control to see if they treated the pool.

Bragg Street Detention Basin

Jane is researching a detention basin on Bragg Street at the request of an abutter, who believes it is breeding mosquitos and wants to have something done about it.

Vernal Pool Program

The weather broke just in time on Saturday providing a sunny day for all those attending. Jane and crew found many critters and she handed out Vernal Pool Field Guides and NHESP vernal pool posters to all. She reminded the Commission that she will be giving a vernal pool presentation/slide show to the Open Gate Garden Club on May 1 at 7:00 at the Carl Anon meal center on Baker Street. Shannon Sylvia of Foxboro Cable Access will be attending this program to tape it.

Article IX Draft Regulations

Jane reminded the Commission that she would like them to review the definitions portion of the draft regulations that she had put together for the meeting.

120 South Street, DEP #157-511, Order of Conditions

Motion was made by Allan Curtis to issue the Order of Conditions for DEP #157-511, 120 South Street; seconded by Judi Johnson. **Vote: 4-0-0**

Meeting Adjourned

Motion was made by Allan Curtis to adjourn; seconded by Judi Johnson. **Vote: 4-0-0**

The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Eric Nelson, Clerk

Draft minutes submitted by Lee Ann Tavares: 4/24/13

Reviewed by Jane Pierce: 11/05/13

Approved by Commission: 12/2/13

Documents, Not Referenced Above, Reviewed During Meeting

Attached Documents:

1. Agenda, April 22, 2013
2. Meeting Sign In Sheet

Location of Other Documents:

3. Manager's Report, filed in Manager's Report binder in Conservation Commission's office.
4. Referenced projects' documents: please see Conservation Commission's project file